IN THE HIGH COURT OF JUDICATURE AT PATNA

Cr.Misc. No.15001 of 2008

NANDLAL PRASAD

Versus

1. STATE OF BIHAR
2. SMT. NEETU DEVI

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5. 21.7.2008 Heard the learned counsel for the petitioner and the State as well as the learned counsel appearing for the complainant-opposite party no.2.

The petitioner is apprehending his arrest in connection with Complaint Case No.565 of 2006 for the alleged offences registered under section 498A of the Indian Penal Code.

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It is submitted on behalf of the petitioner that the present complaint has been filed in retaliation to Matrimonial Case No.48 of 2006 pending in the court of the Family Court at Rohtas. It is further submitted that opposite party no.2 has herself is not interested to live with the petitioner, for which she has already filed an application to the above effect in the said matrimonial case. A certified copy of the said petition filed by opposite party no.2 has been produced, which has been kept on the record.

Considering the submissions, as noticed above, and on perusal of the materials brought on the record, it is directed that petitioner Nandlal Prasad, in the event of his arrest or surrender in connection with Complaint Case No.565 of 2006, within a period of four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Nawadah, in connection with the aforesaid case, on the conditions mentioned in sub-section (2) of section 438 of the Code of Criminal Procedure.

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PNM **(Shailesh Kumar Sinha, J.)**